



City of Seattle

Gregory J. Nickels, Mayor

Department of Design, Construction and Land Use

D. M. Sugimura, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR OF
THE DEPARTMENT OF DESIGN, CONSTRUCTION AND LAND USE**

Application Number: 2200800
Applicant Name: Terry Wilson
Address of Proposal: 6504 – 24th Avenue SW

SUMMARY OF PROPOSED ACTION

Master Use Permit to subdivide one parcel into four (4) parcels of land in an Environmentally Critical Area (ECA) - Riparian Corridor. Proposed parcel sizes are: A) 8,026.17 square feet, B) 5,215.38 square feet, C) 5,421.34 square feet; and D) 5,902.39 square feet. The existing single family residence is to remain and the existing accessory structures are to be removed. Related Project No. 2108580: Limited exemption from the ECA Steep Slope Development Standards (SMC 25.09.180).

The following approvals are required:

Short Subdivision - to subdivide one existing parcel into four parcels. (Chapter 23.24, Seattle Municipal Code).

SEPA Threshold Determination (Chapter 25.05 SMC)

SEPA DETERMINATION: ☐ Exempt ☐ DNS ☐ MDNS ☐ EIS

☒ DNS with conditions

☐ DNS involving non-exempt grading or demolition or involving another agency with jurisdiction

BACKGROUND DATA

Site & Area Description

The 24,565 square foot project site is located in a Single Family residential zone with a minimum lot size of 5,000 square feet (SF 5000), in West Seattle. The parcel is located on the

east side of 24th Avenue SW, at the intersection of 24th and 24th Avenues SW. There is not a platted alley at the rear (east) of the property to provide vehicular access. Twenty-fourth (24th) Avenue is paved, but not improved with curbs, gutters, planter strips or sidewalks on either side of the street. There is an existing one-story house and detached garage centered on the site, and a shed located adjacent to the south property line. The subject lot slopes downward from the east property line to 24th Avenue, but is not considered a Steep Slope area pursuant to the actual site slopes and the exemption granted under DCLU No. 2108580. On the west side of 24th Avenue SW is Longfellow Creek, a regulated creek under the City's ECA provisions. A fifty (50) foot Class A Riparian Corridor Buffer is typically required for Longfellow Creek.

Twenty-fourth (24th) Avenue is classified as a non-arterial street, pursuant to SMC Chapter 23.53. Surrounding properties and blocks are also zoned SF 5000. Development in the area consists of a variety of one and two-story single-family houses of varying age and architectural style on a variety of lot sizes, consistent with the zoning designations.

Proposal

The proposal is to subdivide one parcel of land into four (4) lots. Proposed lot areas are indicated in the summary above. Proposed lots will have vehicular access to 24th Avenue SW via twelve (12) foot wide ingress, egress and utility easement centered on the site. The existing single family residence will remain on proposed Parcel A; the detached garage and shed will be removed.

Public Comment

During the public comment period which ended October 16, 2002, the City received three written comments related to increased density, traffic and parking, tree loss, and potential impacts to Longfellow Creek.

ANALYSIS - SHORT SUBDIVISION

Pursuant to SMC 23.24.040, no short plat shall be approved unless all of the following facts and conditions are found to exist:

1. *Conformance to the applicable Land Use Code provisions;*
2. *Adequacy of access for vehicles, utilities, and fire protection, as provided in Section 23.53.005;*
3. *Adequacy of drainage, water supply, and sanitary sewage disposal;*
4. *Whether the public use and interests are served by permitting the proposed division of land;*
5. *Conformance to the applicable provisions of SMC Section 25.09.240, short subdivision and subdivisions, in environmentally critical areas;*
6. *Is designed to maximize the retention of existing trees;*

7. *Conformance to the provisions of Section 23.24.045, Unit lot subdivisions, when the short subdivision is for the purpose of creating separate lots of record for the construction and/or transfer of title of townhouses, cottage housing, clustered housing, or single-family housing.*

Based on information provided by the applicant, referral comments from the Land Use Plans Examiner, the Drainage Section, the Fire Department, Seattle Public Utilities (City Light and the Water Department), and review by the Land Use Planner, the following findings are made with respect to the above-cited criteria:

1. The subject property is zoned for single-family residential with a minimum lot size of 5,000 square feet. The allowable density of the subject property is one dwelling unit per lot. Maximum lot coverage is 35%. Front setbacks are an average of the neighboring adjacent lots, or twenty (20) feet, which ever is less. The minimum side yard setback is five (5) feet. Minimum rear yard setback is 20% of the lot depth with a maximum of twenty-five (25) feet. The lots created by this proposed division of land will conform to all development standards of the SF 5000 zoning district. The proposed parcels provide adequate buildable area to meet applicable setbacks, lot coverage requirements, and other Land Use Code development standards.
2. The proposed lots will have vehicular access to 24th Avenue SW, via the proposed ingress, egress and utility easement, consistent with the provisions of the Code. The Seattle Fire Department has no objection to the proposed short plat. All private utilities are available in this area. Seattle City Light provides electrical service to the proposed short plat. City Light has reviewed the proposal and does require an easement to provide for electrical facilities and service to the proposed lots. This short plat provides for adequate access for vehicles, utilities, and fire protection.
3. This area is served with domestic water, sanitary sewer, and stormdrain facilities by the City of Seattle. Availability of service is assured subject to standard conditions of utility extension. The Short Plat application has been reviewed by Seattle Public Utilities and a Water Availability Certificate was issued on September 12, 2002. The existing structure located on proposed Parcel A is connected by means of a single sidesewer to a 21-inch Metro Sanitary Sewer located in 24th Avenue SW. Stormdrainage along 24th Avenue is being collected by means of catch basins and cross culverts with release to Longfellow Creek, much like a roadside bar ditch.

Pursuant to SMC 25.05.675C, additional mitigation beyond that already required by the Stormwater, Grading and Drainage Control Code, Chapter 22.800 of the Seattle Municipal Code, may be required if run-off from a proposed project could have adverse impacts and if the proposed project is located in an environmentally critical area or if the project drains into streams identified by the State Department of Fish and Wildlife as bearing anadromous fish. As mentioned above, this project lies within the Longfellow Creek Drainage basin and runoff from this site will drain into Longfellow Creek, an anadromous bearing stream.

Additionally pursuant to SMC 22.800 the City of Seattle Stormwater Grading and Drainage Control Code projects with less than 5,000 square feet of impervious surface are not required to provide flow control for stormwater unless the director determines that flow control requirements are needed to protect an Environmentally Critical Areas. Longfellow Creek is a Class A riparian corridor, which is an Environmentally Critical Area. Conditioning the plat to provide additional drainage features is therefore appropriate.

4. One objective of the short subdivision process is to increase opportunities for new housing development in order to ensure that there will be adequate capacity for future housing need. An equally important objective is to ensure that new development is compatible with neighborhood character. The proposed short subdivision will meet all the applicable Land Use Code provisions. The proposed development has adequate access for vehicles, utilities and fire protection, and has adequate drainage, water supply and sanitary sewage disposal. The public use and interest will be served with this proposal because additional opportunities for owner occupied housing would be provided within the City limits as a result of this subdivision. The proposal will meet all applicable criteria for approval of a short plat upon completion of the conditions in this analysis and decision.
5. On the west side of 24th Avenue SW is Longfellow Creek, a regulated creek under the City's ECA provisions. A fifty (50) foot Class A Riparian Corridor Buffer is required for Longfellow Creek. However, SMC 25.09.120 provides that a required stream buffer "[s]hall not extend beyond an existing public road if the road has an adequate stormwater catchment facility." As indicated above, adequate stormwater facilities are provided in 24th Avenue via the catch basin in the vicinity of the site and cross culvert system. There is a public right-of way between Longfellow Creek and the subject parcel, which has a stormwater catchment facility. Relative to the proposed project with additional drainage conditioning as mentioned above, the stormwater catchment facility is considered adequate. Therefore, the buffer requirements for the adjacent riparian corridor under SMC 25.09.140 are not applicable to the subject proposal.
6. There are fifteen (15) broad-leaved and coniferous trees located around the perimeter of the site. These trees can be preserved, depending upon the location any future construction, the extent of the root systems and the overall health of the trees. Thus the proposal has been designed to maximize the retention of existing trees on the property. Future construction will be subject to the provisions of SMC 23.44.008 which sets forth tree planting requirements on single family lots.
7. This Short subdivision is not a unit subdivision. Thus, this section is not applicable to this short plat proposal.

DECISION - SHORT SUBDIVISION

The proposed short plat is **CONDITIONALLY GRANTED**.

SEPA DETERMINATION

Environmental review resulting in a Threshold Determination is required pursuant to the Seattle State Environmental Policy Act (SEPA), WAC 197-11, and the Seattle SEPA Ordinance (Seattle Municipal Code Chapter 25.05).

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated September 4, 2002. The information in the checklist, a Subsurface Exploration and Geotechnical Investigation Report prepared by Soil; & Environmental Engineers, Inc., dated June 27, 2002, public comment, and the experience of the lead agency with review of similar projects form the basis for this analysis and decision. Note that pursuant to SMC 25.05.908.B, the scope of the environmental review of the subject short subdivision is limited to:

1. Documenting whether the proposal is consistent with The City of Seattle Regulations for Environmentally Critical Areas, SMC Chapter 25.09; and
2. Evaluating potentially significant impacts on the environmentally critical area resources not adequately addressed in The City of Seattle Environmentally Critical Areas Policies or the requirements of SMC Chapter 25.09, Regulations for Environmentally Critical Areas, including in additional mitigation measures needed to protect the environmentally critical areas in order to achieve consistency with SEPA and other applicable environmental review laws.

The Department of Design, Construction and Land Use has analyzed the environmental checklist submitted by the project applicant; reviewed the project plans and the additional information in the file; and any comments which may have been received regarding this proposed action have been considered.

Long-term Impacts

Long-term impacts are anticipated as a result of approval of this proposal including increased surface water runoff due to greater site coverage by impervious surfaces. The runoff from this site would go to Longfellow Creek.

Longfellow Creek provides habitat for aquatic species including coho salmon. The past three years Seattle Public Utilities through their coho spawning surveys have found that a large number of coho salmon that return to Seattle creeks die before they spawn (prespawning mortality). In Longfellow Creek the prespawning mortality of coho has averaged 72% over the past three years. Stormwater runoff is believed to be contributing to these prespawning deaths. SMC 22.802.015 D states in part that the Director of DCLU may require sites with less than 5,000 square feet of impervious surface to comply with the requirements set forth in 22.802.016. Therefore flow control measures need to be incorporated into the design of future development at this site according to Volume 3: Flow Control Technical Requirements Manual, of SMC 22.800.

To further lessen the potential for adverse stormwater impacts to Longfellow Creek, the existing native vegetation adjacent to 24th Avenue SW located outside of the potential building sites shall be preserved and/or enhanced as the Parcels A & D develop or redevelop.

Codes and development regulations applicable to this proposed project together with conditioning for drainage and vegetation enhancement will provide sufficient mitigation, thus no additional conditioning/mitigation is warranted pursuant to the SEPA Overview Policy (SMC 25.05.665).

DECISION

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirement of the State Environmental Policy Act (RCW 43.21.C), including the requirement to inform the public of agency decisions pursuant to SEPA.

- [X] Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21.030(2) (c).

CONDITIONS – SEPA AND SHORT SUBDIVISION

Prior to Recording

1. Add a condition to the plat that states that the existing native vegetation adjacent to 24th Avenue SW located outside of the potential building sites shall be preserved and/or enhanced as Parcels A & D develop or redevelop in order to lessen the potential for adverse stormwater impacts to Longfellow Creek.
2. Pursuant to SEPA policy 25.05.675 C2c, and SMC 22.802.015 D the following condition will be noted on the face of the plat:

All stormwater runoff from new construction on each parcel must be sent through bioswales that are designed to infiltrate water into the ground. The bioswales are to be maintained in functioning conditions for the life of the project. Volume 3 of SMC Title 22.800 Stormwater, Grading and Drainage Control Code (or successor code) should be used to determine the size and design of the bioswales.

CONDITIONS - SHORT SUBDIVISION

Prior to Recording

The owner(s) and responsible party(s) shall:

1. Have final recording documents prepared by or under the supervision of a Washington state licensed land surveyor. Each lot, parcel, or tract created by the short subdivision shall be surveyed in accordance with appropriate State statutes. The property corners set shall be identified on the plat and encroachments such as side yard easements, fences or structures shall be shown. Lot areas shall be shown on the plat. All existing structures, principal and accessory, shall be shown on the face of the plat, and their distances to the proposed property lines dimensioned.
2. Submit the final recording forms for approval and any necessary fees.
3. Include an easement to provide for electrical facilities and service to the proposed lots as required by Seattle City Light (aka Exhibit A) on the final Short Subdivision.
4. Add a note to the face of the plat stating that prior to sale or development of any lot within this plat, remove the two accessory structures (detached garage and shed) from the development site establish code-conforming parking on proposed Parcel A for the existing dwelling which will remain, in accordance with all applicable provisions of the Seattle Municipal Code.

After Recording and Prior Issuance of a Building Permit

5. Attach a copy of recorded short subdivision to all copies of future building permit application plans.

Prior to Final Inspection of each Building Permit for New Construction

6. The bioswales must be installed and the parcels must be re-vegetated as appropriate.

Signature: _____ (signature on file) Date: April 21, 2003
David Graves, AICP, Contract Planner
Department of Design, Construction and Land Use
Land Use Services

DG/JS:smb

I:\SUDER\Consults\2200800 SEPA SP 6504 24th SW.doc